

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

KAREN MARTIN

PLAINTIFF

VS.

1:07CV91-SA-JAD

PEPSIAMERICAS, INC.

DEFENDANT

ORDER DENYING SUMMARY JUDGMENT

Pursuant to an opinion issued on this day, the Defendant's Motion for Summary Judgment [51] is **DENIED**. However, if Plaintiff succeeds at trial, the Plaintiff's damages will be offset by an amount to be determined at a later date. Also, her damages will be limited to back pay for a period of two years.

So **ORDERED** this, the 28th day of October, 2008.

/s/ Sharion Aycock
U.S. DISTRICT COURT JUDGE